

RECEIVED
CENTRAL FAX CENTER

AUG 08 2007

PATENT
Serial No: 10/542,051
Docket No: 10517-281REMARKS**I. Status of Claims**

Claims 13-25 are currently pending this application. Claim 13 is independent. By way of this response, claim 25 is newly added.

Claims 13-24 stand rejected under 35 U.S.C. 102(e) as being anticipated by Misu *et al.* (USP 6,662,891 B2) (hereinafter "Misu").

II. Pending Claims

Independent claim 13 stands rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Misu.

Claim 13 is patentable over Misu because it at least recites "the plurality of battery unit cells or battery modules being stacked in a longitudinal direction relative to the vehicle vehicle" and "a cooling fan that supplies a cooling medium in a direction of the vehicle width."

The present application regards a plurality of battery unit cells or battery modules which are stacked in a longitudinal direction of the vehicle (e.g., front-to-back direction of the vehicle) and a cooling fan that supplies a cooling medium in a direction of the vehicle width. As a result, in the present application, since the cooling medium is supplied in a direction of the vehicle width, there is no need to provide a chamber above or below the battery unit cells or battery modules.

In contrast, Misu discloses a plurality of battery unit cells or battery modules being stacked in a direction of the vehicle width and a cooling fan that supplies a cooling medium from top to bottom or bottom to the top of the vehicle (e.g., up and down direction). In addition, Misu discloses a battery pack being disposed between the floor panel and the bottom portion of

RECEIVED 202 220 4201 P.007
CENTRAL FAX CENTER
AUG 08 2007

PATENT
Serial No: 10/542,051
Docket No: 10517-281

the seat and a chamber being disposed on top and bottom portion of the battery pack.

The Applicant respectfully submits, that for at least these reasons, claim 13 and its dependent claims are patentable over Misu and the cited references.

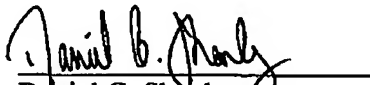
III. Conclusion

For the above reasons, it is submitted that the application is in condition for allowance. Prompt consideration and allowance are solicited.

The Office is authorized to charge any additional fees under 37 C.F.R. § 1.16, § 1.17, or § 1.136, or credit of any overpayment, to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,

Dated: May 15, 2007


Daniel G. Shanley
Registration No. 54,863

KENYON & KENYON LLP
1500 K Street, N.W. - Suite 700
Washington, D.C. 20005 -1257
Tel: (202) 220-4200
Fax: (202) 220-4201